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EXAMINER

HU, JINSONG

ART UNIT PAPER NUMBER

2154

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,000

Applicant(s)

NOBAKHT ET AL.

Examiner

Jinsong Hu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-34 are presented for examination.

Double Patenting

2. Claims 1-34 are rejected under the judicially created doctrine of double patenting over claims 1-34 of U. S. Patent No. 6,745,223 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent. The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: a memory circuit that is configured to store a channel table, the channel table including a plurality of channel numbers, each channel number having an associated Internet address and an associated Internet site name; an input device for entering a selected channel number; and means for reading the Internet address associated with the selected channel number from the memory circuit, and for connecting the user terminal to a selected Internet site that is addressed by the Internet address associated with the selected channel number, such that communications between the user terminal and the selected Internet site are transmitted only via the Internet.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-4, 6-11, 17, 21 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. (US 6,381,748 B1).

5. As per claims 1, 4 and 26, Lin et al. teach the invention as claimed including a user terminal [112, Fig. 1] of a channel-based network [col. 1, line 64 – col. 2, line 2], the user terminal comprising:

a memory circuit [310, Fig. 3] that is configured to store a channel table [512, Fig. 5], the channel table including a plurality of channel numbers, each channel number having an associated Internet address and an associated Internet site name [Fig. 5; col. 5, lines 28-39]; an input device for entering a selected channel number [col. 5, lines 40-42]; and

means for reading the Internet address associated with the selected channel number from the memory circuit, and for connecting the user terminal to a selected Internet site that is addressed by the Internet address associated with the selected

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channel number, such that communications between the user terminal and the selected Internet site are transmitted only via the Internet [col. 5, line 58 – col. 6, line 3].

6. As per claim 3, Lin et al. teach that the memory circuit comprises a flash memory [310, Fig. 3].

7. As per claim 6, Lin teaches that each Internet site name stored in the channel table includes an associated favorite site code [user defined][col. 5, lines 6-8] and wherein processor includes means for listing on a display apparatus a group of Internet site names that are associated with favorite site codes having a predetermined value [col. 5, 30-36].

8. As per claim 7, Lin et al. teach that a display apparatus displays the plurality of channel numbers and associated Internet site names that are stored in the memory circuit [318, Fig. 3; 512, Fig. 5].

9. As per claim 8, Lin et al. teach that the display apparatus comprises a television [114, Fig. 1].

10. As per claim 9, Lin et al. teach that the means for reading comprises:
communication circuitry [RF Mod, Fig. 9] configured to transmit signals to and receive signals from the Internet [col. 7, lines 19-23 & col. 61-62];

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a control unit for receiving the selected channel number from the input device [inherent in Lin's system]; and

a processor [910, Fig. 9] configured to read the Internet address associated with the selected channel number from the memory circuit, and to transmit the associated Internet address via the communication circuitry onto the Internet [col. 8, lines 16-21].

11. As per claim 10, Lin et al. teach that the control unit comprises a system controller [910, Fig. 9] and a micro-controller [930, Fig. 9] connected to the system controller via an interface port [col. 45, lines 46-55].

12. As per claim 11, Lin et al. teach that control unit further comprises an infra-red detector connected to the micro-controller, and wherein the input device comprises means for transmitting infra-red signals to the infra-red detector [inherent in Lin's system].

13. As per claim 17, Lin et al. teach that a set-top box connected to a television [112, 114, Fig. 1].

14. As per claim 21, Lin et al. teach the invention as claimed including a user terminal of a channel-based network that is connected to the Internet [Fig. 1], the user terminal comprising:

a non-volatile memory circuit [310, Fig. 3] for storing a first channel table [512, Fig. 5], the first channel table including a plurality of channel numbers, each channel number having an associated Internet address and an associated Internet site name [Fig. 5; col. 5, lines 28-39];

a volatile memory circuit [col. 1, line 14];

an input device [116, Fig 1];

a control unit for receiving a selected channel number entered by a user through the input device [col. 8, lines 12-18]; and

means for selectively copying the first channel table from the non-volatile memory circuit to the volatile memory circuit, for reading the Internet address associated with the selected channel number from the volatile memory circuit, and for transmitting the associated Internet address via the communication circuitry onto the Internet, thereby connecting the user terminal to a selected Internet site that is addressed by the associated Internet address such that communications between the user terminal and the selected Internet site are transmitted only via the Internet [col. 5, line 58 – col. 6, line 3].

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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16. Claims 2, 12-16, 18-20, 22-25 and 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (US 6,381,748 B1) as applied to claims 1, 3-4, 6-11, 17, 21 and 26 above.

17. As per claim 2, Lin et al. teach the invention substantially as claimed in claim 1. Additionally, Lin et al. teach that the memory circuit of the user terminal comprises a RAM [col. 1, lines 14]. Lin does not specifically teach that the memory circuit comprises a synchronous dynamic random access memory (SDRAM). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a SDRAM in Lin's system because doing so would eliminate wait time associate with memory fetches between RAM and CPU. One of ordinary skill in the art would have been motivated to modify Lin's system with a SDRAM in order to increase the speed of the system.

18. As per claims 12-14, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically that the input device comprises a joystick or a QWERTY keyboard. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a joystick or a QWERTY keyboard in Lin's system because they are the well-known computer input devices in the art.

19. As per claims 15, 24 and 30, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically teach that the user terminal comprises a

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smart card socket and an interrupt switch connected between the system controller and the smart card socket. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include these devices in Lin's system because they are the well known communication devices in the art. One of ordinary skill in the art would have been motivated to modify Lin's system with these devices because doing so would improve the system's capability of handling various communication devices.

20. As per claim 16, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically teach the step of storing the version number of the channel table in the memory. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the version number in Lin's system because doing so would bring the convenience to the users by allowing them to select the relevant version of the channel table they prefer. One of ordinary skill in the art would have been motivated to modify Lin's system with the version number to attract more users.

21. As per claims 18-20, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically teach that the user terminal comprises a personal computer or a cellular telephone or a personal digital assistant. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include these user terminals in Lin's system because they are well known in the art for being used as web site navigation devices. One of ordinary skill in the art would have

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been motivated to modify Lin's system with these user terminals because doing so would allow the users select the right terminal they willing to use for accessing the web site.

22. As per claim 22, Lin et al. teach the invention substantially as claimed in claim 21. Lin does not specifically teach that the volatile memory circuit is a synchronous dynamic random access memory (SDRAM). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a SDRAM in Lin's system because doing so would eliminate wait time associate with memory fetches between RAM and CPU. One of ordinary skill in the art would have been motivated to modify Lin's system with a SDRAM in order to increase the speed of the system.

23. As per claim 23, Lin et al. teach the invention substantially as claimed in claim 21. Lin does not specifically teach the step of detecting the user is a resident user or guest user and copying the channel table in non-volatile memory when the user is a resident user. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include these detecting and copying steps in Lin's system because doing so would save the storage space of the memory by avoiding storing the information permanently which is not associate with the resident user. One of ordinary skill in the art would have been motivated to modify Lin's system with these steps to reduce the wasting of the memory.

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24. As per claim 25, Lin et al. teach the invention substantially as claimed in claim 21. Lin does not specifically teach the step of erasing the volatile memory. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the erasing step in Lin's system to keep the latest information by erasing the useless memory. One of ordinary skill in the art would have been motivated to modify Lin's system with the erasing step to reduce the memory storage space.

25. As per claim 27, Lin et al. teach the invention substantially as claimed in claim 26. Lin does not specifically teach a log in step. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include log in step in Lin's system to prevent unauthorized user accessing the image. One of ordinary skill in the art would have been motivated to modify Lin's system with log in step based on the security reason.

26. As per claim 28, since it is an apparatus claim of claims 21 and 23, it is rejected under the same basis as claims 21 and 23.

27. As per claims 29 and 31, since they are method claims of claims 23 and 25, they are rejected under the same basis as claims 23 and 25.

28. As per claims 32-34, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically teach the step of updating the user table by

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downloading new table from the server. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the erasing step in Lin's system to keep the latest information by erasing the useless memory. One of ordinary skill in the art would have been motivated to modify Lin's system with the erasing step to reduce the memory storage space.

29. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (US 6,381,748 B1) in view of Rosin et al. (US 6,397,387 B1).

30. As per claim 5, Lin et al. teach the invention substantially as claimed in claim 1. Lin does not specifically teach that each Internet address stored in the channel table includes an associated parental guidance code, and wherein processor includes means for preventing the transmission of Internet addresses that are associated with parental guidance codes having a predetermined – value.

31. Rosin et al. on the other hand teach that each Internet address stored in the channel table includes an associated parental guidance code [col. 12, lines 45-49], and wherein processor includes means for preventing the transmission of Internet addresses that are associated with parental guidance codes having a predetermined – value [col. 12, lines 36-45]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lin and Rosin because using Rosin's parental guidance code in Lin's system would prevent the young

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people expose to inappropriate content [Rosin, col. 12, lines 36-39]. One of ordinary skill in the art would have been motivated to modify Lin's system with Rosin's parental guidance code to prevent the young people expose to inappropriate content.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Carroll et al. (US 6,154,205) discloses a TV based web navigation system; and
Schein et al. (US 6,263,501 B1) discloses a PCTV system.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

September 22, 2005



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